

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOHN NOAKES,) Case No. 1:21-cv-01776
)
Plaintiff,) Judge Pamela A. Barker
)
v.) <u>DEFENDANT'S MOTION FOR</u>
) <u>LEAVE TO FILE TUMBLR EXHIBIT</u>
) <u>IN SUPPORT OF ITS OPPOSITION</u>
CASE WESTERN RESERVE UNIVERSITY, <i>et al.</i> ,) <u>TO PLAINTIFF'S EMERGENCY</u>
) <u>MOTION FOR TEMPORARY</u>
Defendants.) <u>RESTRANING ORDER UNDER</u>
) <u>SEAL</u>
)

When filing the Complaint, Plaintiff also filed a Motion for Leave to Proceed Anonymously [ECF 5] in order to protect his identity. One of the exhibits to Defendant Case Western Reserve University’s (“CWRU” or “Defendant”) Opposition to Plaintiff’s Emergency Motion for Temporary Restraining Order is a copy of the Tumblr website containing the posts that are the subject of the September 21, 2021 letter at issue. The Tumblr posts identify Plaintiff by name and include detailed and specific information about Plaintiff, such that a simple Google search for these descriptions results in one hit – only the Tumblr site. Accordingly, CWRU moves this Court for leave to file the Tumblr exhibit (along with an unredacted copy of its Opposition, including these specific descriptions) under seal.

Respectfully submitted,

/s/ Amanda T. Quan

John Gerak (#0075431)
Amanda T. Quan (#0086623)
Alexandria A. Gardella (#0100000)
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
127 Public Square
4100 Key Tower
Cleveland, OH 44114
216.241.6100
216.357.4733 (FAX)
john.gerak@ogletree.com
amanda.quan@ogletree.com
alexandria.gardella@ogletree.com

Attorneys for Defendant Case Western Reserve University

CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2021 a copy of the foregoing *Defendant's Motion for Leave to File Tumblr Exhibit in Support of its Opposition to Plaintiff's Emergency Motion for Temporary Restraining Order Under Seal* was electronically filed with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Amanda T. Quan

One of the Attorneys for Defendant